

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

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|---|---|--------------------------|
| ELI BRIDGE, on behalf of Andrew Bridge, a |) | |
| minor, by his next friends and parents, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. CIV-22-00787-JD |
| |) | |
| OKLAHOMA STATE DEPARTMENT OF |) | |
| EDUCATION, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

Pending before the Court are State Defendants’ Motion to Dismiss [Doc. No. 47] and Plaintiffs’ Motion for Preliminary Injunction [Doc. No. 24]. In the briefing related to these motions, the parties rely on *Adams v. School Board of St. Johns County*, 3 F.4th 1299 (11th Cir. 2021). In August 2021, the Eleventh Circuit granted a petition for rehearing en banc and vacated the panel decision. The Eleventh Circuit’s en banc order and several concurring or dissenting opinions have now been filed and published. *See Adams v. Sch. Bd. of St. Johns Cnty.*, --- F.4th ----, 2022 WL 18003879 (11th Cir. 2022) (en banc).

The Court finds that supplemental briefing would be helpful concerning the en banc decision in *Adams*, whether it impacts any of the issues or filings before this Court (and if so, which particular filings), and the procedural sameness or differences between the *Adams* case and this case. The parties should also direct the Court to and discuss any

other authority directly relevant to an issue raised in a pending motion that was issued after the briefing on that motion was filed.

IT IS THEREFORE ORDERED that the parties may file supplemental briefs in response to this Order related solely to the topics mentioned above on or before **Monday, February 6, 2023**. The supplemental briefs shall not exceed 20 pages.

IT IS SO ORDERED this 5th day of January 2023.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE